Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006

Message Text

CONFIDENTIAL

PAGE 01 NASSAU 01720 110216Z

60
ACTION L-03

INFO OCT-01 ARA-06 ISO-00 EUR-12 SCA-01 CIAE-00 INR-07

NSAE-00 NSC-05 JUSE-00 SEC-01 SSO-00 NSCE-00 INRE-00

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O 110016Z OCT 75
FM AMEMBASSY NASSAU
TO SECSTATE WASHDC IMMEDIATE 7371
INFO AMEMBASSY SAN JOSE IMMEDIATE

C O N F I D E N T I A L NASSAU 1720

E.O. 11652: GDS
TAGS: PFOR, PINT, OGEN
SUBJ: VESCO EXTRADITION: REQUEST FOR EMBASSY ASSISTANCE WITH GCOB

REF: NASSAU 1605

1. EMBASSY RECEIVED VISIT LATE THIS AFTERNOON BY ATTORNEYS DAVID M. BUTOWSKY AND HAROLD L. STULTS, JR., WHO CLAIM TO BE WORKING ON SEC INVESTIGATION OF ROBERT VESCO CASE. ACCORDING TO ATTORNEYS INVESTIGATION HAS REACHED CRUCIAL STAGE WHICH THEY HOPE MAY CULMINATE IN VESCO'S EVENTUAL EXTRADITION TO U.S. ATTORNEYS SAY THEY WERE IN SAN JOSE LAST NIGHT AND CLAIM TO HAVE MADE CONTACT WITH EMBASSY'S CHIEF CONSULAR OFFICER IN ADDITION TO THEIR OWN "SOURCES" IN COSTA RICA. ACCORDING TO ATTORNEYS' STORY ONE OF THESE SOURCES SURREPTITIOUSLY OBTAINED COPY OF FOLLOWING LETTER PURPORTEDLY SIGNED BY MINEXTAFF ADDERLEY.

QUOTE YOUR EXCELLENCY, THE COSTAN RICAN AMBASSADOR IN LONDON HAS SUBMITTED THROUGH OUR HIGH COMMISSIONER THERE A REQUEST FROM YOUR GOVERNMENT THAT SENORITA MARIA DE LAS MERCEDES GARCIA MARTINEZ BE RECOGNIZED AS HONORARY CONSUL OF COSTA RICA IN NASSAU.

CONFIDENTIAL

CONFIDENTIAL

PAGE 02 NASSAU 01720 110216Z

WHILE WE WOULD VERY MUCH LIKE TO ACCEDE TO THE REQUEST OF YOUR

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006

GOVERNMENT WE FIND THAT SENORITA MARIA DE LAS MERCEDES GARCIA MARTINEZ IS IN THE EMPLOY OF A COMPANY OWNED BY OR CONNECTED WITH MR. ROBERT VESCO AT NASSAU. DUE TO THE NUMEROUS COURT CASES IN WHICH MR. VESCO IS INVOLVED IN NASSAU IT WOULD BE VERY EMBARRASSING AND IMPROPER IF ALL DOCUMENTS REQUIRING AUTHENTICATION FOR USE IN COSTA RICA HAD TO FIRST PASS THROUGH THE HANDS OF A VESCO EMPLOYEE.

BECAUSE OF THIS UNIQUE SITUATION THE BAHAMAS GOVERNMENT REGRETS THAT IT WILL BE UNABLE TO RECOGNISE SENORITA MARIA DE LAS MERCEDES GARCIA MARTINEZ AS HONORARY CONSUL AT NASSAU. YOUR GOVERNMENT IS THEREFORE INVITED TO NOMINATE ANOTHER CANDIDATE WHO WILL BE ACCEPTABLE TO BOTH GOVERNMENTS.

MAY I TAKE THIS OPPORTUNITY TO EXTEND TO YOUR EXCELLENCY THE RENEWED ASSURANCES OF MY HIGHEST CONSIDERATION AND ESTEEM AT ALL TIMES.

YOURS SINCERELY,

P. L. ADDERLEY
MINISTER OF EXTERNAL AFFAIRS UNQUOTE

EMBASSY MADE XEROX COPY OF LETTER WHICH ALONG WITH ADDERLEY'S SIGNATURE APPEARS TO BE GENUINE. FYI: ACCORDING TO ATTORNEYS, SHOULD THIS INFORMATION BE MADE PUBLIC LIFE OF THEIR CONTACT IN SAN JOSE WOULD BE JEOPARDIZED. END FYI.

2. ATTORNEYS VIEW LETTER AS KEY ITEM IN OBTAINING EXTRADITION FOR FOLLOWING REASONS: A) VESCO ALLEGEDLY HAD CERTAIN PAPERS AUTHENTICATED BY MISS MARTINEZ WHICH WERE THEN USED FOR LEGAL PURPOSES WITHIN COSTA RICA, B) IF IT CAN BE PROVED THAT MISS MARTINEZ WAS NOT AUTHORIZED TO ACT AS HONORARY CONSUL OF COSTA RICA IN NASSAU DOCUMENTS WOULD BE ILLEGAL, AND C) IF DOCUMENTS WERE ILLEGAL THERE WOULD THEN BE GROUNDS FOR CLAIMING THAT VESCO HAD COMMITTED AN ILLEGAL ACT WITHIN COSTA RICA WHICH ALLEGEDLY ACCORDING TO PUBLIC STATEMENT OF PRESIDENT ODUBER WOULD BE GROUNDS FOR EXTRADITION, PARTICULARLY AT THIS MOMENT AS ATTORNEYS CLAIM THAT VESCO PRESENCE IN COSTA RICA IS PRESENTLY SUBJECT OF INTENSE DEBATE WITHIN COSTA RICAN PARLIAMENT.
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ESTABLISHMENT OF MRS. MARTINEZ' CAPACITY OR LACK THEREOF TO AUTHENTICATE DOCUMENTS IS ALSO KEY ISSUE IN VESCO RELATED COURT CASE NOW BEING TRIED IN COSTA RICA.

3. ATTORNEYS ARE NOW INTENT UPON OBTAINING ASAP AN AUTHENTICATED (AND LEGALLY OBTAINED) COPY OF ADDERLEY LETTER WHICH COULD BE USED BOTH IN COURT AND IN PARLIAMENTARY DEBATE. THEY REQUESTED BUT WERE DISUADED TO HAVE EMBASSY TAKE UP MATTER DIRECTLY WITH

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006

MINEXTAFF AND HAVE NOW REQUESTED EMBASSY TO SEEK DEPARTMENT'S APPROVAL ON SENDING THE FOLLOWING NOTE TO THE GCOB:

QUOTE (COMPLIMENTARY OPENING) AND HAS THE HONOR TO INFORM THE MINISTRY THAT A SPECIAL COUNSEL APPOINTED BY THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK IN A CASE ENTITLED SEC V. VESCO IS ATTEMPTING TO ENFORCE IN COSTA RICA A FINAL JUDGMENT OBTAINED AGAINST ROBERT L. VESCO IN NEW YORK. IN THIS CONNECTION THE EMBASSY HAS BEEN REQUESTED TO INQUIRE ABOUT THE AUTHENTICITY OF CERTAIN DOCUMENTS THAT WERE CERTIFIED BY A PERSON PURPORTING TO BE THE HONORARY CONSUL OF COSTA RICA IN NASSAU AND THAT WERE SUBMITTED TO THE SUPREME COURT OF COSTA RICA ON BEHALF OF ROBERT L. VESCO. ACCORDINGLY, THE FOLLOWING INFORMATION IS REQUESTED:

1. HAS SENORITA MARIA DE LAS MERCEDES GARCIA MARTINEZ EVER BEEN RECOGNIZED BY THE GOVERNMENT OF THE COMMONWEALTH OF THE BAHAMAS AS HONORARY CONSUL OF COSTA RICA IN NASSAU?

2. IF MARIA DE LAS MERCEDES GARCIA MARTINEZ HAS EVER BEEN RE-COGNIZED AS HONORARY CONSUL OF COSTA RICA IN NASSAU, PLEASE STATE THE DATE OR DATES WHEN SHE WAS RECOGNIZED AS SUCH AND THE DATE OR DATES WHEN SHE CEASED TO BE RECOGNIZED AS SUCH.

ANY OTHER INFORMATION WHICH YOU MIGHT HAVE INCLUDING CORRES-PONDENCE IN THE CASE OF MARIA DE LAS MERCEDES GARCIA MARTINEZ' STATUS WOULD ALSO BE APPRECIATED. (COMPLIMENTARY CLOSE) UNQUOTE

4. COMMENT: DIRECTOR OF ARA CARIBBEAN AFFAIRS HEAVNER WILL BE CONTACTED TOMORROW MORNING BY ONE OF MORE OF THE FOLLOWING WHO WILL BE PREPARED TO SUPPLY DETAILED BACKGROUND INFORMATION ON INVESTIGATION AND NECESSITY FOR URGENT ACTION: MR. RUSTY CONFIDENTIAL

CONFIDENTIAL

PAGE 04 NASSAU 01720 110216Z

WING, CHIEF FRAUD UNIT, U.S. ATTORNEY'S OFFICE, NEW YORK, NEW YORK; ELLIOTT SAGOR, ASSISTANT U.S. ATTORNEY, SOUTHERN DISTRICT OF NEW YORK; OR JUDGE CHARLES E. STEWART, SOUTHERN DISTRICT OF NEW YORK. GIVEN CONTINUED SENSITIVITY VESCO CASE IN BAHAMAS AND TIE IN OF GCOB MINEXTAFF, EMBASSY IS DOUBTFUL AS TO TIMELINESS OR DETAIL OF RESPONSE WHICH NOTE ELICITS. THIS IS ESPECIALLY SO GIVEN RECENT PUBLICITY ON VESCO'S FORMER PRESENCE IN BAHAMAS WHICH WAS AIRED IN THE HOUSE OF ASSEMBLY ONLY TWO WEEKS AGO (REFTEL).

5. FOR SAN JOSE: ATTORNEYS CLAIM TO HAVE BEEN FLOWN TO NASSAU IN PRIVATE PLANE CHARTERED BY FORMER COSTA RICAN PRESIDENT. CASE MAY THUS WELL HAVE EVEN MORE POLITICAL CONSEQUENCES THAN ABOVE WOULD ALREADY INDICATE.
TAYLOR

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006

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Margaret P. Grafeld
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EO Systematic Review
06 JUL 2006

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